

Notice of Allowability

Application No.

10/532,144

Examiner

Mark A. Deuble

Applicant(s)

MARCELLI, PIERRE

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3651

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment of 1/23/2007.
2. ☒ The allowed claim(s) is/are 14, 16-24 and 26.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 4/20/2005
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance:

Applicant's remarks submitted December 14, 2006 state that independent claims 14 and 24 correspond to previously submitted claims 15 and 25 rewritten in independent form and that the claims are allowable because they require fixed rollers that raise a table that is horizontally movable on the rollers while Oliver shows movable rollers that are raised by a table that is fixed. The Examiner respectfully disagrees with these remarks because the claims do not require that the rollers be fixed and that they raise a horizontally movable table. The claims require that the rollers be mounted on the table making relative movement between them difficult to envision. In his remarks, the applicant appears to have confused the rack which forms the load supporting surface and the table which supports the rollers. The claims only require that the table supporting the rollers and the rack covering the table to form a load support surface be movable relative to each other. This means that the rack or the table supporting the rollers or both can be movable contrary to applicant's assertion. However, the claims as amended are allowable because they require more than previously submitted claims 15 and 25. Specifically, the claims now require that the openings in the rack have a shape compatible with a shape of the roller element to form lifting ramps to cause either the rack or the table to move in vertical displacement simultaneously with the horizontal displacement of the other. Previously submitted claims 15 and 25 only required that the rack, rather than the openings therein, comprised a lifting means which cooperated with the roller elements on the table and which was compatible with a shape of the roller elements to form lifting ramps. While Oliver shows a rack 6/7 with lifting means formed by lifting ramps 10 having a shape compatible with the shape of the roller

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elements, these lifting ramps are not formed by the openings in the rack as now required by the independent claims. Furthermore, such an arrangement would not have been obvious to one of ordinary skill in the art at the time of the invention because there is not suggestion in the art to modifying the shape of the rollers and the shape of the openings in the rack of Oliver so that they cooperate to form lifting ramps.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

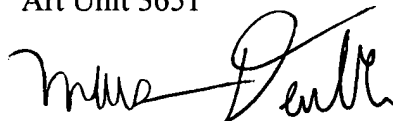
2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A. Deuble whose telephone number is (571) 272-6912. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gene O. Crawford can be reached on (571) 272-6911. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mark A. Deuble
Examiner
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